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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (H)
PART II—Section 3—Sub-Section (H)

प्रतिष्ठापित द्वारा प्रकाशित
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नई दिल्ली, सोमवार, जुलाई 10, 1995/असाधा 19, 1917

No. 400]

NEW DELHI, MONDAY, JULY 10, 1995/ASADHA 19, 1917

गृह मन्त्रालय

अधिसूचना

नई दिल्ली, 10 जुलाई, 1995

का.आ. 619(अ).—केन्द्रीय सरकार ने, विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मन्त्रालय की अधिसूचना का.आ. सं. 836(अ), तारीख 23 नवम्बर, 1994 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा बोडा सिक्किमिटी फोर्स (बी.डी.एस.एफ.) को, विधि विरुद्ध संगम घोषित किया था;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मन्त्रालय की अधिसूचना का.आ. 918(अ), तारीख 20 दिसम्बर, 1994 द्वारा विधिविरुद्ध क्रियाकलाप (निवारण) अधिकरण का गठन किया था जिसमें पंजाब और हरियाणा उच्च न्यायालय के न्यायाधीश न्यायमूर्ति श्री सतपाल थे;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए, उक्त अधिसूचना 21 दिसम्बर, 1994 को उक्त अधिकरण को यह न्यायनिर्णीत करने के प्रयोजन के लिए निर्देशित की थी कि क्या उक्त संगम को विधिविरुद्ध घोषित करने के लिए पर्याप्त कारण है या नहीं;

और उक्त अधिकरण ने, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में कौ गई घोषणा की पुष्टि करने हुए, तारीख 18 मई, 1995 को एक आदेश किया था;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (4) के अनुसरण से, उक्त अधिकरण के उक्त आदेश को प्रकाशित करती है, अर्थात् :—

—अंग्रेजी पाठ के अनुसार—

नई दिल्ली में

18 मई, 1995

को हस्ताक्षरित तथा मुद्रित

हस्ताक्षरित/—

न्यायमूर्ति सतपाल

विधि विरुद्ध क्रियाकलाप (निवारण)

अधिकरण"

[फा. सं. 11011/34/94-एन.ई. IV]

बी. एन. आ. संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 10th July, 1995

S.O. 619(E).—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967) declared the Bodo Security Force (Bd. S.F.) to be an unlawful association vide notification of the Government of India in the Ministry of Home Affairs number S.O. 836(E), dated the 23rd November, 1994 (hereinafter referred to as the said notification);

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 5 of the said Act, constituted vide notification of the Government of India in the Ministry of Home Affairs number S.O. 918(E), dated the 20th December, 1994, the Unlawful Activities (Prevention) Tribunal, consisting of Shri Justice Sat Pal, Judge of Punjab and Haryana High Court;

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, referred the said notification to the said Tribunal on the 21st December, 1994, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said association as unlawful;

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 18th May, 1995, confirming the declaration made in the said notification;

Now, therefore, in pursuance of sub-section (4) of section 4 of the said Act, the Central Government hereby publishes the said order of the said Tribunal, namely :—

“BEFORE THE UNLAWFUL ACTIVITIES
(PREVENTION) TRIBUNAL

In Re :

Bodo Security Force (Bd.S.F.)

CORAM :

Hon'ble Mr. Justice Sat Pal

PRESENT :

Central Government through Shri V. P. Singh,
Senior Advocate, with Mr. Mukul Dhawan,
Advocate.

State of Assam through Mr. S. N. Chowdhury,
Senior Advocate, with Mr. A. K. Sinha,
Advocate.

Bodo Security Force ex parte.

ORDER

By its Notification No. S.O. 836(E) published in the Gazette of India (Extraordinary), dated 23rd November, 1994, the Central Government in pursu-

ance of the powers conferred by Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 (hereinafter referred to as the Act), declared the Bodo Security Force (in short, Bd.S.F.) to be an unlawful association with immediate effect on the ground that the Bd.S.F. has as its professed aim, the “Liberation” of Bodoland resulting in bringing about the secession of the said areas from the Indian Union, in alliance with other armed secessionist organisations of the North East Region and to carry on struggle for the national liberation of the Indo-Burma region in alliance with like-minded organisations of that region.” It is also stated in this Notification that the Bd. S.F. had indulged in various illegal activities intended to disrupt or which disrupt the sovereignty and territorial integrity of India in furtherance of its objective of achieving a separate Bodoland and is aligned with other unlawful associations like United Liberation Front of Asom (ULFA) and National Socialist Council of Nagaland (NSCN) to create a separate Bodoland. It is further stated in the Notification that in pursuance of its aims and objectives, the Bd.S.F. has engaged in several unlawful and violent activities including :

- (i) attacks on pickets and patrol parties of security forces, killing of security force personnel and causing injuries to them and looting of arms and ammunition from them with a view to demoralise the security forces, and undermine the authority of the government;
- (ii) carnages and ethnic violence resulting in killings, destruction of property and exodus of thousands of non-Bodos from their hearths and homes in Kokraihar, Bongai-goon and Barpetta districts with a view to spread panic and in-security among non-Bodos and force them to migrate from Bodo areas. Sophisticated weapons like AK-47 rifles and carbines were used by Bd.S.F. cadres on such occasions to kill and seriously injure non-Bodos;
- (iii) Kidnapping prominent businessmen, tea estate owners and managers with a view to extract huge sums of ransom money to finance and execute plans for creation of a separate Bodoland;
- (iv) extortion of money from businessmen, government officials and other civilians by issuing demand notices and threats of dire consequences if money is not paid and or if any information is passed on to security forces;
- (v) committing highway robberies, bank dacoities etc. to amass funds;
- (vi) maintaining close nexus with unlawful associations like ULFA and NSCN for mutual assistance in unlawful, terrorist activities and for training of Bd.S.F. cadres;
- (vii) establishing camps and hideouts across the Country's border to carry out its secessionist activities;

- (viii) obtaining assistance from anti-India forces in other countries to procure arms and other assistance in their struggle for creation of a separate Bodoland etc.

Vide Notification No. S.O. 918(E) dated 20th December, 1994, the Government of India constituted this Tribunal, and in pursuance of the requirement of sub-section (1) of Section 4 of the Act, the Central Government has made this reference to the Tribunal. Along with the copy of said Notification, the Government had annexed a brief resume regarding the aims, objectives of Bd.S.F. In this resume, the Central Government has stated inter alia the following facts:—

- (1) The Bodo Security Force (Bd.S.F.) was formed in 1986 as an off-shoot of Bodoland Movement launched by the All Bodo Students Union (ABSU). This outfit wields strong influence in the districts of Darrang, Sonitpur, Kokrajhar and in some parts of Kamrup, Nalbari, Barpeta and Goalpara districts. In furtherance of the objective of a separate Bodoland through armed struggle, the Bodo Security Force had been committing several crimes like bank dacoities, robberies, killings of civilians and security/police personnel, extortions and kidnappings.
- (2) The Constitution of Bd. S.F. has the following aims and objectives :—
 1. Liberate the Bodoland through armed struggle for maintaining the distinct identity and civilisation of the Bodos.
 2. Create a DEMOCRATIC SOCIALIST SOCIETY to promote LIBERTY, EQUALITY AND FRATERNITY.
 3. Free the Bodo nation from social, political and economic exploitation, oppression, suppression and colonisation.
 4. Struggle for National Liberation of Indo-Burma Region in alliance with other Revolutionary Organisations of the oppressed aboriginal Nationalities of the Region.
- (3) The Bodo Security Force, though banned insurgent outfit since 23-11-92 has been engaging in a violent, insurrection since 1988 in support of its demand for an independent and sovereign Bodoland and has further stepped up its acts of terrorist violence during last three years. Despite the pressure maintained on this terrorist outfit by the Police, Para-Military Forces and the Army, there has been an upward swing in its violent activities in recent times signifying the design of the outfit to indulge in most heinous forms of predatory activities in furtherance of its avowed objectives.
- (4) During this ban period from Nov. 23, 1992 to October 20, 1994, there have been 71 Bd.S.F. related incidents of violence. Details of violent activities of Bd. S.F. including the date of the incident, cases filed, number of dead, injured etc. are given in Annexure II. The Bd. S.F. gunned down 84 persons in 25 incidents during the above period in addition to 4 incidents of attempted murder and 84 persons sustained injuries of varying degrees during attack by Bd. S.F. Of the victims gunned down by the Bd. S.F. 25 belong to the Police, 1 BSF and 1 belonged to Home Guard department and the rest 57 are civilians including businessmen and innocent women and children.
- (5) There have been armed encounters between the activists of the banned outfit and the Police/PMF in the 15 incidents of attack on Police pickets/patrol posts and patrol parties by the Bd. S.F.
- (6) During an attack on the 7th A.P. Bn camp at Charaikhela on 12-12-92 Bd. S.F. activists killed 2 Police personnel besides injuring 3 others and looted away 5 LMGs, 44 SLRs, 3 GF rifles and 3920 rounds of ammunitions. The Bd. S.F. has also snatched away a total number of 77 weapons of various assortments and 4315 rounds of ammunitions from the Police and the PMF.
- (7) The Bd. S.F. has been instrumental in a number of major carnages and ethnic violence in Kokrajhar, Bongaigaon and Barpeta districts which resulted in forcible eviction and exodus of more than 1 lakh panicstricken victims from their hearths and homes in these three districts.
- (8) In Oct. 93, the Bd. S.F. triggered ethnic violence in Kokrajhar and Bongaigaon districts where Bodo militants attacked 25 villages comprising a population of 35000 and set fire to houses. Thus resulting in the death of 60 persons and razing of 3392 houses due to arson. 30,000 panic stricken victims rendered homeless due to attack by Bodo ultras at the behest of the Bd. S.F. had to be given shelter in 25 relief camps organised by the District Administration.
- (9) On the night of May 27, 1994, ethnic violence was started by Bodo militants. A group of 200 armed Bodo extremists attacked 3 Muslim villages of Kokrajhar district. Bd. S.F. backed ultras resorted to indiscriminate firing and arson as a result of which 22 Muslims were killed and 967 families were rendered homeless. 170 houses were set on fire. This led to an exodus of refugees who had to be provided shelter in relief camps.
- (10) Bd. S.F. sponsored ethnic violence broke out in Barpeta district on July 19, 1994 between Bodos and non-Bodos. The villages affected by these incidents are Matanga, Bonmajapathar, Narsingbari, Bhakumari, Dhekianjani, Denmajapathar, Bilasipara, Kharsaguri, Salakandi, Charbari, Borghope, Norijhar and Katajhar. The violence which erupted on 19 July, 1994, spread to other villages on 20th and 21st July, 1994. As a result of violent incidents between July 19-21,

1994, 250 houses were burnt down and 21 people lost their lives in the incidents.

- (11) In the intervening night of 23rd and 24th July, 1994, the outlawed Bodo Security Force militants attacked the Police Party guarding relief camp at Bansbari and the people who were taking shelter there. The Police party returned the fire. The Bodo Security Force militants started firing from two sides of the camp with tracer bullets which caused fires in the thatched houses. Thereafter the militants started indiscriminate firing at the fleeing inmates for about 20 minutes. The militants used, apart from tracer bullets, AK-47 rifles, SLRs, LMGs, and a few 303 rifles. Reports received from the State Government indicated that 38 inmates were killed and 71 injured.
- (12) During Nov. 23, 1992 to Oct. 20, 1994 the Bd. S.F. kidnapped 15 persons for demanding ransom money from them. The important kidnappings organised by the Bd. S.F. include kidnapping of tea garden executives namely Shri Bolin Bordoloi, Guwahati Branch Manager of Tata Tea Ltd., Shri Sashikanta Barua, Proprietor, Behrgaon Tea Estate (Darrang distt.), Shri Jayanta Kr. Choudhury and Rohini Kumar Gogoi, Director and Manager respectively of Fatemabad Tea Estate (Barpeta distt.). In addition several important businessmen were also kidnapped by the Bd. S.F. and they were released on payment of huge sums of ransom money. The spate of kidnapping of selected targets by the Bd. S.F. has led to great panic among tea garden executives and members of business community in the Bodo dominated areas in the State. It may be noted that Williamson Magor, a premier tea concern in the State which own more than 48 gardens, was forced to pay Rs. 1 crore 35 lakhs following kidnapping of one of its top executives and threat to kidnap other officials.
- (13) The latest spate of extortion of money by the Bd. S.F. from members of business community, Govt. officials and other civilians led to a panicky situation in some parts of the State particularly in the Udalguri subdivision areas of Darrang district. The Bd. S.F. has issued demand notices to various individuals mostly belonging to the business community to pay Rs. 1 lakh each towards its fund or else face dire consequences.
- (14) The Bd. S.F. has been maintaining close nexus with the United Liberation Front of Asom (ULFA) and the NSCN (I). The NSCN(I) has not only been providing with instructors to train up Bd. S.F. cadres but it has also been extending other forms of assistance to the Bd. S.F.
- (15) The Bd. S.F. has established various camps and hideouts in Bhutan from where it has been carrying out its depredatory activities. Interrogation of Nelson Doimari, SS Fin-

ance Secretary of the Bd. S.F. who was recently arrested, indicate that Ranjan Doimari, SS Chairman of Bd. S.F. who visited Thailand in connection with the establishing contact with various anti-India forces, is presently staying in Bangladesh along with his wife and some lieutenants and directing Bd. S.F. operations from there. His interrogation further revealed that the Bd. S.F. has been systematically procuring arms from Dimapur and some other foreign countries.

- (16) The terrorist and insurgency activities launched by the Bd. S.F. and the ethnic violence spearheaded by this banned outfit have led to deep sense of panic and insecurity amongst the members of non-Bodo communities inhabiting the Bodo dominated areas in the State.
- (17) The Bd. S.F. is known to have a sizeable strength of armed and trained activists including a few women cadres. It has divided its areas of influence into five regions for better organisational control. Prominent Bd. S.F. leaders are Ranjan Daimari-Chairman, Gobinda Basumatary Foreign Secretary, Hectonson Muchahary- Home Secretary.
- (18) Its arsenal is reported to include weapons mostly comprising of AK-47 rifles, LMGs, SLRs, Carbines, Rifles and country-made guns.
- (19) The Central Government on the recommendation of the Government of Assam had declared the Bd. S.F. as an unlawful association with effect from 23rd November, 1992 vide Notification published in the Gazette of India Extraordinary dated 23rd November, 1992 S.O. 251(E). The Unlawful Activities (Prevention) Tribunal constituted to adjudicate the Notification declaring Bodo Security Force as an unlawful association vide its order dated 15th May, 1993, confirmed the validity of this Notification.
- (20) The terrorist and insurgency activities launched by the Bd. S.F. and the ethnic violence spearheaded by this out-fit have led to a deep sense of panic and insecurity amongst members of non-Bodo communities inhabiting the Bodo dominated areas of Assam. The continued depredatory activity of the Bd. S.F. and procurement of arms, ammunition and explosives by it from clandestine sources including foreign countries, establishment of training camps in Bhutan and attacks on security forces are clear indication of its designs to continue with its secessionist activities through armed struggle for veation of an independent sovereign Bodoland in collusion with other insurgent outfits like ULFA and NSCN (I). The anti-national activities of the Bd. S.F. are a grave threat to the integrity of sovereignty of the country and security of the State. In view of this, the State Government or Assam recommended the extension of the ban on Bd. S.F. for another two years.

On receipt of the reference, the Tribunal issued notice under sub-section (2) of Section 4 of the Act, to Bd. S.F. calling upon it to show cause within 30 days from the date of the service of the notice why it should not be declared unlawful and why the order should not be made confirming the declaration made in the Notification dated 23rd Nov., 94

Notice was directed to be issued by various modes. The Central Government filed an affidavit of Shri L. K. Prasad, Under Secy. (Assam) Ministry of Home Affairs, dated 30th March, 1994, along with copies of the newspapers and other documents in support of the service of the notice. Despite service of the notice, no one entered appearance on behalf of the Bd. S.F. nor any reply to the show cause notice has been filed.

On 3rd April, 1995, the following issues were framed :

- (1) Whether on the facts and circumstances state in the Notification, dated 23rd November, 1994, and resume accompanying the reference, there is sufficient cause for declaring the Bodo Security Force unlawful ?
- (2) What orders are required to be made either confirming the declaration made in the Notification or cancelling the same under sub-section (2) of Section 4 of the Act?

On the said date, the Central Government was directed to file the list of witnesses and was permitted to lead evidence by way of affidavits. Pursuant to this order, the Central Government filed one affidavit of Shri L. K. Prasad, Under Secretary, Ministry of Home Affairs. Along with this affidavit, photo copy of the Constitution of the Bd. S.F. photo copies of the letters addressed by Bd. S.F. demanding ransom with regard to the kidnapped persons, photo copy of the Joint Agreement for Mutual help and assistance between Bd. S.F. and ULFA and a statement containing details of the incidents of extremists activities/murders carried out by Bd. S.F. were annexed.

On 3rd April, 1995, the learned counsel for the Central Government submitted that most of the material in support of the case as well as the witnesses who were to depose, were available at Guwahati and requested that the hearing for recording evidence should be held at Guwahati. Keeping in view of the aforesaid submissions of the learned counsel, it was directed that the evidence will be recorded at Guwahati on 24th and 25th April, 1995.

On 24th April, 1995, the Central Government produced 4 witnesses and on 25th April, 1995, one witness was produced. The witnesses whose oral testimony has been recorded are Sarvshri Mukesh Agrawala, Superintendent of Police, Kokrajhar; Anil Phukan, Superintendent of Police, Barpeta; K.V. Singh Deo, Superintendent of Police, Bongagaon; S. K. Phukan, Superintendent of Police, Darrang. L. K. Prasad, Under Secretary (Assam), Ministry of Home Affairs; and S. P. Kar Deputy Inspector General of Police, CID. During the course of evidence, some documents were also produced by the said witnesses.

PW 1 Shri Mukesh Agrawala proved the incident regarding killing of Sub-Inspector of Police Kartar Singh on 26th November, 1993 by the activities of Bd. S.F. He also proved the incident of 27th May, 1994, when some activities of Bd. S.F. had looted the armoury of 7th Assam Police Battalion at Charaikhola, Kokrajhar and had killed two constables of Armed Constabulary. He also proved the incident on 27th May, 1994, when some activities of Bd. S.F. had raided three villages, namely Hakaipera, Duramari and Mauzopara in the district Kokrajhar and had killed 22 persons, which included 21 persons of Muslim community. He further proved the incident regarding kidnapping of one Jagdish Agarwala of Ramphabil on 31st July, 1993 and about whom the activists of Bd. S.F. had demanded a sum of Rs. 30 lakhs as ransom. He also deposed that the terrorist activities of Bd. S.F. were still going on in his district.

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P.W. 2 Shri Anil Phukan proved the incident of 13th July, 1994, when the activists of Bd. S.F. had blown off a Gypsy vehicle of local police which resulted into the death of four police officials and injuries to two others, who also succumbed to their injuries later on. He also proved the incident regarding the kidnapping of two persons, namely Jayanta Kumar Choudhary and Rohini Kumar Gogai of Fatemabad Tea Estate on 12th June, 1993 by the activists of Bd. S.F. and thereafter demanding ransom amounting to Rs. 3 crores. He also deposed that in the second half of March, 1995, the Army had conducted an operation to apprehend the activists of Bd. S.F. at Barpeta district nearer to State of Bhutan and in this operation, the Army had recovered a copy of the Constitution of Bd. S.F. which was handed over to the Police and he stated that the photo copy of the same had been filed along with the affidavit of Shri L.K. Prasad.

P.W. 3, Shri K. V. Singh Deo, proved the incident of 14th August, 1993 when the Police party conducted the raid in district Bongagaon and there was exchange of fire between the Police party and the activists of Bd. S.F. at Amlaiguri village of district Bongagaon. The activists managed to run away but on interrogation from the persons who had given shelter at the house, it was revealed that the persons who had exchanged fire with the Police party were the activists of Bd. S.F. This witness also proved that after about two weeks from the said encounter, one person, namely Kartik Mussahary and his son, who had given shelter to these activists were killed by them. This witness also deposed that in October, 1993, in Amtaka area, there were about 40 killings of Muslim villagers by the activists of Bd. S.F. and during the same period, these activists had also killed about equal number of persons in adjacent Kokrajhar area. He further stated that in Bongagaon district, there were two refugee camps where the uprooted Muslim families from the above mentioned area were staying and their population in these two camps was about 2000. He also stated that the threat from the activists of Bd. S.F. was still there in his district.

P.W. 4 Shri S. K. Phukan proved the incident of 12th November, 1993, when the activists of Bd. S.F. opened fire indiscriminately at a shop in Kacharipara and killed six persons and caused grievous injuries to four others. This witness also proved the incident of 15th November, 1993, when some activists of Bd. S.F. caused bullet injuries to SI Chirajul Islam Boro, who later on succumbed to his injuries. He also deposed that in December, 1993 the Police apprehended one of the activists of Bd. S.F., Dhiren Boro, who admitted that the activists of Bd. S.F. were responsible for many killings including the killing of the said Sub-Inspector and he was responsible for kidnapping one Subir Roy, Tea Executive of Williamson Magor in November, 1993 and the activists had demanded Rs. 1.35 crores for his release. He also deposed that the activists of Bd. S.F. had Kidnapped Sashi Kanta Barua, Proprietor Bhargaon Tea Estate, along with his two employees on 23rd November, 1994 and later on, the employees who were released, lodged FIR about the kidnapping. He also deposed that on 31st March, 1995, in Udalguri, four activists of Bd. S.F. fired indiscriminately with AK-47 rifles on the shop keepers of the main Bazar and as a result thereof seven persons died on the spot and two persons succumbed to their injuries later on. He also deposed that on 13th April, 1995, one Swapon Kumar Saha who was travelling in a bus from Tangla was kidnapped at the gun point by the activities of Bd. S.F. near Kalaigaon District Darrang and the said person has not been released so far.

P.W.5, Shri L. K. Prasad proved his affidavit dated 19th April, 1995. He also stated that the documents annexed with his affidavit were supplied to the Central Government by the Government of Assam.

P.W. 6, Shri S. P. Kar proved the Constitution of the Bd. S.F., photo copy of which was filed along with the affidavit of Shri L. K. Prasad. He also deposed that in March, 1995, the Army conducted the operation against the activists of Bd. S.F. and during that operation, they recovered the document purported to be Order-I/95 N.D.F.B., issued by one D. R. Nabla, President N.D.F.B. and this document was handed over to the Police by the Army. He filed the photo copy of this document and it contains the structure of National Democratic Front of Boroland and as per this document, Bd. S.F. is a wing of the said Front. He also deposed that in the year 1993-94, the activities of Bd.S.F. resorted to mass killings of civilians, innocent villagers, especially of one community in Bengaigaon, Kokrajhar and Barpeta districts. He stated that the activists of Bd. S.F. had also laid mines last year which resulted in the death of one Additional Superintendent of Police, one Circle Inspector and certain other Police personnel. He further stated that the activities of these persons were aimed at eroding some area from the territory of India and these activities amount to waging of war against the sovereignty of India. He also proved Annexure 'C' annexed with the affidavit of Shri L. K. Prasad, dated 19th April, 1995 and stated that the facts stated in this document were compiled in the Special Branch of Assam Police and the facts were duly checked by him and were found correct as per the Government records of the Police.

From the evidence placed on record, it stands proved that Bd.S.F. was established sometime in the year 1986 and has been maintaining close nexus with other terrorists organisations, like the United Liberation Front of Assam (ULFA) and give mutual military and political help to each other in organisational and operation matters; that the main aim and objective of Bd.S.F. is the liberation of Boro land through armed struggle, thereby threatening the sovereignty and integrity of India. In pursuance of its aforesaid aims and objects, the Bd.S.F. has been engaged in several unlawful and violent activities during the existing period when it had been declared unlawful. The terrorists and insurgent activities launched by them have led to deep sense of panic and insecurity amongst the Non-Bodo community inhabiting the Bodo dominated area in the State of Assam. The activists of Bd.S.F. had been making attack against Police and civilians and had killed numerous persons. They have been kidnapping people to extort money and in particular, they had been kidnapping the

executives of Tea gardens falling in the Bodo dominated areas and had been demanding huge money as ransom and in case of non-payment of ransom money they had been killing the kidnapped persons. A large quantity of sophisticated arms and ammunition had also been recovered from the activists of Bd.S.F.

The constitution of Bd.S.F. contains the following objects :

- (1) Liberate the Boroland with armed struggle for distinct Identity and Civilisation of the Boros ;
- (2) Transform a Democratic Socialist Society to promote Liberty, Equality and Fraternity ;
- (3) Free the Boro nation from Socio-Political and Economic exploitation, oppression, colonisation.
- (4) Struggle for National Liberation of Indo-Burma region in alliance with other revolutionary organisations of the oppressed aboriginal nationalities of the Region.

The material placed on record clearly shows that the Bd.S.F. is armed insurrectionary organisation and its aim and object is to liberate Bodo dominated areas of Assam through armed struggle, thereby threatening the sovereignty and integrity of India and it has aligned itself with other unlawful associations in the region within India and the organisations in the neighbouring regions across the country's borders for the creation of Bodoland. The evidence further shows that to achieve the aforesaid objectives, the Bd.S.F. has encouraged and aided its members to commit unlawful activities as stated herein above. Accordingly, the issues framed on 3rd April, 1995 have to be answered in the affirmative.

In view of the evidence on the record, I am satisfied that there was sufficient cause for declaring Bd.S.F. to be an unlawful association by Notification No. S.O. 836(E), dated 23rd November, 1994, issued by the Government of India, Ministry of Home Affairs under Section 3(1) of the Act. Accordingly, the declaration made by the Central Government in the said Notification is hereby confirmed.

Signed and delivered this day, the 18th of May, 1995, at New Delhi.

Sd/-

Justice SAT PAL,
Unlawful Activities (Prevention) Tribunal."

[File No. 11011/34/94-NE.IV]

B N JHA, Jt. Secy.